

# STROOCK

By CM/ECF

April 29, 2022

Claude G. Szyfer  
Direct Dial: 212.806.5934  
Fax: 212.806.6006  
cszyfer@stroock.com

The Honorable Lorna G. Schofield  
U.S. District Court for the Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square, Courtroom 1106  
New York, New York 10007

Re: *Compass, Inc. v. Real Estate Board of New York, Inc.* – Case No. 1:21-CV-02195- LGS

Dear Judge Schofield:

We are counsel to Defendant the Real Estate Board of New York, Inc. (“REBNY”) in the above-referenced action. On March 31, 2022, the Court denied in part REBNY’s motion to dismiss the complaint (ECF 32) (Nathan, J.). REBNY filed a motion for reconsideration (ECF 36-37), and Plaintiffs Compass, Inc. and Compass RE NY, LLC (collectively, “Compass”) opposed (ECF 40). In the Court’s Order setting the schedule for Compass’s opposition, it stated that “[n]o reply will be accepted absent leave of court” (ECF 38).

Having reviewed Compass’s opposition, REBNY respectfully submits that Compass misapprehended or misrepresented the law and facts REBNY offered in support of its motion and that the Court’s consideration of the motion would be benefited by a short reply. Accordingly, REBNY respectfully requests that the Court grant REBNY leave to file a five-page reply on or before May 5, 2022.

REBNY reached out to Compass’s counsel prior to filing this letter. Counsel indicated that they oppose this request and asked REBNY to note their opposition.

We thank the Court for its attention and indulgence to this request.

Respectfully submitted,

/s/ Claude G. Szyfer

Claude G. Szyfer

cc: All Counsel of Record (via CM/ECF)